

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

MYRNA GOMEZ SANCHEZ

v.

GREGORIO HERNANDEZ ACEVEDO

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No. 3:04-0428
JUDGE ECHOLS

O R D E R

Presently pending before the Court is the Magistrate Judge's Report and Recommendation ("R&R") entered August 30, 2005 (Docket Entry No. 42), to which no objection has been filed. In the R&R the Magistrate Judge recommends that Plaintiff's Motion for Sanctions and for Attorneys' Fees (Docket Entry No. 34) be granted to the extend that Defendant be ordered to: (1) immediately return the children to the custody of the mother at a time and place designated by her and (2) pay Plaintiff's attorneys' fees and expenses in the amount of \$4,500.00 pursuant to 42 U.S.C. § 11607(b).

This is an action filed by Plaintiff pursuant to the Convention on the Civil Aspects of International Child Abduction, Done at the Hague on October 25, 1980, and its implementing legislation in the United States, the International Child Abduction Remedies Act. The facts and procedural background in this case are provided in the R&R, as well as the Court's Order of July 29, 2005, and will not be repeated here. (See Docket Entry Nos. 35, 42).

After independently reviewing the Magistrate Judge's findings and the entire record, the Court finds the Magistrate Judge's

findings and conclusions are correct, and they are APPROVED AND ADOPTED.

Accordingly, Plaintiff's Motion for Sanctions and for Attorneys' Fees (Docket Entry No. 34) is hereby GRANTED as provided in the R&R. Defendant shall: (1) immediately return the children to the custody of the Plaintiff, their mother, at a time and place designated by her and (2) pay Plaintiff's attorneys' fees and expenses in the amount of \$4,500.00 pursuant to 42 U.S.C. § 11607(b).

Within ten days of entry of this Order, counsel for Defendant shall file a Notice of Compliance with the Court that Defendant has complied with this Order. Failure to comply may result in further sanctions against Defendant.

It is so ORDERED.

A handwritten signature in black ink, appearing to read "Robert L. Echols", written over a horizontal line.

ROBERT L. ECHOLS
UNITED STATES DISTRICT JUDGE